



General Assembly

January Session, 2003

***Amendment***

LCO No. 6528

\*SB0066506528HD0\*

Offered by:

REP. RYAN, 139<sup>th</sup> Dist.

To: Subst. Senate Bill No. 665

File No. 653

Cal. No. 543

(As Amended By Senate Amendment Schedule "A")

***"AN ACT REQUIRING REPORTING BY PERSONS ENGAGED IN  
AQUACULTURE."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subdivision (2) of section 31-101 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2003*):

6 (2) "Board" means the labor relations board provided for in section  
7 31-102, except that for labor disputes in the agricultural industry,  
8 "board" means the agricultural employment relations board  
9 established pursuant to section 505 of this act.

10 Sec. 502. Subdivision (6) of section 31-101 of the general statutes is  
11 repealed and the following is substituted in lieu thereof (*Effective*  
12 *October 1, 2003*):

13 (6) "Employee" includes, but shall not be restricted to, any  
14 individual employed by a labor organization, any individual whose  
15 employment has ceased as a consequence of, or in connection with,  
16 any current labor dispute or because of any unfair labor practice, and  
17 who has not obtained any other regular and substantially equivalent  
18 employment, and shall not be limited to the employees of a particular  
19 employer; but shall not include any individual employed by [his] a  
20 parent or spouse or in the domestic service of any person in [his] the  
21 individual's home, any individual employed only for the duration of a  
22 labor dispute or any individual employed as an agricultural worker  
23 (A) for less than six months during a twelve-month period, or (B) by a  
24 person who employs less than fifty employees, excluding family  
25 members.

26 Sec. 503. Subdivision (7) of section 31-101 of the general statutes is  
27 repealed and the following is substituted in lieu thereof (*Effective*  
28 *October 1, 2003*):

29 (7) "Employer" means any person acting directly or indirectly in the  
30 interest of an employer in relation to an employee, but shall not  
31 include any person engaged in farming who employs less than fifty  
32 employees, excluding family members, or any person subject to the  
33 provisions of the National Labor Relations Act, unless the National  
34 Labor Relations Board has declined to assert jurisdiction over such  
35 person, or any person subject to the provisions of the Federal Railway  
36 Labor Act, or the state or any political or civil subdivision thereof or  
37 any religious agency or corporation, or any labor organization, except  
38 when acting as an employer, or any one acting as an officer or agent of  
39 such labor organization. An employer licensed by the Department of  
40 Public Health under section 19a-490 shall be subject to the provisions  
41 of this chapter with respect to all its employees except those licensed  
42 under chapters 370 and 379, unless such employer is the state or any  
43 political subdivision thereof.

44 Sec. 504. Section 31-111a of the general statutes is repealed and the  
45 following is substituted in lieu thereof (*Effective October 1, 2003*):

46     (a) No employees of an employer licensed by the Department of  
47     Public Health under section 19a-490, or their representatives, or any  
48     other persons shall engage in or induce or encourage, or attempt to  
49     engage in or induce or encourage, any strike, work stoppage,  
50     slowdown or withholding of goods or services by such employees or  
51     other persons at the institution where they are employed, provided  
52     nothing herein shall be construed to prohibit publicity, other than  
53     picketing, for the purpose of truthfully advising the public that a  
54     grievance or dispute, as defined by section 31-111b, exists at such  
55     employer's [premise] premises, as long as such publicity does not have  
56     the effect of inducing any persons to withhold goods or services at  
57     such employer's [premise] premises. No employer licensed by the  
58     Department of Public Health under said section 19a-490 shall institute,  
59     declare or cause, or attempt to institute, declare or cause, any lockout  
60     of the employees of such employer's [premise] premises.

61     (b) No employees of an employer engaged in farming, or their  
62     representatives, or any other persons shall engage in or induce or  
63     encourage, or attempt to engage in or induce or encourage, any strike,  
64     work stoppage, slowdown or withholding of goods or services by such  
65     employees or other persons upon the premises where they are  
66     employed. No employer engaged in farming shall institute, declare or  
67     cause, or attempt to institute, declare or cause, any lockout of the  
68     employees on such employer's premises.

69     Sec. 505. (NEW) (*Effective July 1, 2003*) (a) There is established an  
70     agricultural employment relations board which shall consist of the  
71     following three members, all of whom shall have knowledge of  
72     agriculture: (1) A representative of organized labor, who shall be  
73     selected by the majority leader of the Senate, (2) a representative of the  
74     agricultural industry, who shall be a member of the Connecticut Farm  
75     Bureau and who shall be selected by the minority leader of the Senate,  
76     and (3) a neutral representative who shall be the dean of the College of  
77     Agriculture and Natural Resources of The University of Connecticut or  
78     the dean's designee, who shall be a faculty member of the college.  
79     Members shall be appointed not later than October 1, 2003, and shall

80 serve for a term of six years from the date of appointment. Vacancies  
81 shall be filled in the same manner as the original appointments. Each  
82 member of the board shall be an elector and a resident of this state for  
83 the duration of the member's term. No member shall receive a salary.

84 (b) The agricultural employment relations board shall be within the  
85 State Board of Labor Relations for administrative purposes only.

86 (c) The board shall carry out the provisions of chapter 561 of the  
87 general statutes as they apply to labor disputes in the agricultural  
88 industry, and the provisions of subsection (d) of this section without  
89 undue delay. All decisions shall be made by a majority of the board  
90 not later than thirty days after the hearing or arbitration is concluded  
91 and a copy of each decision or award shall be filed with the Labor  
92 Commissioner.

93 (d) All impasses in collective bargaining agreement negotiations  
94 between agricultural employers and their employees or their  
95 employees' designated representatives shall be submitted to the board  
96 not later than fourteen days after the parties reach impasse. Not later  
97 than thirty days after the impasse arbitration is concluded, the board  
98 shall issue a written arbitration award, which shall be final and  
99 binding on all parties."